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July 8, 1997

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

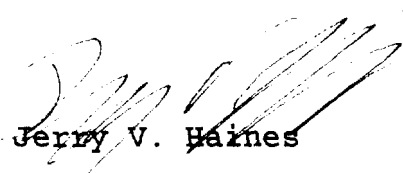
Re: Mass Media Dkt. Nos. 91-221, 87-8, 94-150, 92-51 and 87-154  
MAC America Communications, Inc.  
KTVK(TV), Phoenix, AZ  
Response to Request for Information

Dear Mr. Caton:

On behalf of MAC America Communications, Inc., licensee of KTVK(TV), Phoenix, Arizona, there is transmitted herewith the licensee's response to the Commission's June 17, 1997 request for information concerning local marketing agreements.

Questions relating to this submission should be directed to the undersigned.

Respectfully submitted,

  
Jerry V. Haines

Enclosure

cc w/Enc: W. Miller  
T. Chauncey II

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**Bill Miller**

Vice President, Chief Operating Officer

July 7, 1997

William F. Caton, Secretary  
Federal Communications Commission  
1919 M Street N.W.  
Washington, D. C. 20554

Re: MM Docket Nos. 91-221, 87-8,  
94-150, 92-51 and 87-154  
KTVK(TV) and KASW(TV), Phoenix, Arizona  
Local Marketing Agreement

Dear Mr. Caton:

MAC America Communications, Inc. ("MAC"), licensee of KTVK (TV), Channel 3, Phoenix, Arizona, hereby responds to the Commission's June 17, 1997 request for information concerning its Local Marketing Agreement ("LMA") with Brooks Broadcasting, L. L. C. ("Brooks"), licensee of KASW (TV), Channel 61, Phoenix, Arizona, whereby MAC provides programming to KASW.

1. For both the brokering and brokered stations, the name of the licensee, call letters, channel number and community of license.

a. Brokering station: MAC America Communications, Inc.; KTVK(TV); Channel 3; Phoenix, Arizona.

b. Brokered station: Brooks Broadcasting, L.L.C.; KASW(TV); Channel 61; Phoenix, Arizona.

2. The name and rank of the Nielsen Designated Market Area in which the brokering and brokered stations are located.

Phoenix, AZ; DMA rank 17

3. Whether the broker and brokered stations have overlapping signal contours and, if so, specify the degree of city grade, grade A or grade B overlap.

The transmitters for the two stations are located at the same site. Accordingly, the two stations' contours are coterminous.

4. The date on which the parties entered into the LMA.

December 2, 1994. LMA operation commenced with Channel 61 program testing on September 23, 1995.

5. Information regarding the term of the LMA - specifically, the start and end dates of the initial term of the LMA, whether the LMA includes renewal provisions and, if so, the specific terms of such renewal provisions, e.g., length, at which party's option the renewal may be exercised, whether renewal is automatic, notice for exercising renewal option, etc.

The initial term expires September 22, 2005. Renewal is automatic for successive six-month terms until either party terminates with 60 days' written notice.

6. The percentage of the brokered station's weekly broadcast hours that is brokered to the brokering station.

98%

7. Whether the brokering or brokered station is owned by or affiliated with the ABC, CBS, Fox, NBC, UPN or WB broadcast television networks. If so, please specify the identity of the network and whether the relationship between network and station is that of ownership or affiliation.

- a. Brokering station: independent.
- b. Brokered station: affiliate of the WB and Fox Children's.

8. The reported Nielsen all-day audience share (measuring 9am through midnight) for both the brokering and brokered stations during the last three most recent rating periods.

	<u>KTVK</u>	<u>KASW</u>
May '97	10 share	4 share
Feb. '97	12 share	4 share
Nov. '96	11 share	4 share

9. A brief summary of any other information that parties to an LMA, at their option, may wish to bring to the Commission's attention, such as any efficiencies or public interest benefits they believe have resulted from the LMA, whether the station was off the air prior to the LMA being entered into, whether the station has been or is for sale, or whether the station was constructed while under the LMA.

MAC is a family-owned company, one of the last major market family broadcasters in America. In 1994, after 40 years with ABC, KTVK was stripped of its network affiliation by a "business arrangement" on the part of Capital Cities, ABC and Scripps Howard Broadcasting. Several large corporations, including ABC, offered to buy KTVK. The family owners decided quickly to turn down the offers and invest from their own pockets in the locally-based company they had been building for over 40 years.

Rather than scale back and cut jobs, they added new positions in news and locally-produced programming. They invested in creating new services for the Phoenix audience. They replaced the network-fed morning shows with their own locally-produced programs, giving the Phoenix audience a new, trusted service. They replaced the network evening newscast with another locally-produced news and information block.

However, the cost of operating a major market, full service independent television station with quality local programming is high. The only way that a local company can compete with national networks and communications giants is to seek new markets for its products and look for economies of scale.

Within months after the loss of ABC, MAC met with Mr. Gregory Brooks, then permittee of KASW. With MAC's assistance, Mr. Brooks developed plans to optimize the economies of building a facility, buying programming and promoting a new local television station. The solution was a local marketing agreement that would facilitate prompt construction of the Channel 61 plant and provide a new family-oriented television service to the Phoenix community. As part of the solution, MAC made available its existing transmitter site to Brooks at a major savings in time and expense. Based on results obtained during the first year and a half of operations, the plan appears to be succeeding. If the plan does work, market diversity and competition have been increased through the participation of two locally-owned, non-group stations, and a new children and family-oriented program source has been made available to the people of Arizona.

Without KASW-61, Phoenix would not have had an outlet for the Fox Children's programming or the emerging WB network. Now KASW-61 is a source of competition in the market and currently carries over 40 hours per week of Fox children's programming and programming from the WB, e.g. *Bobby's World* and

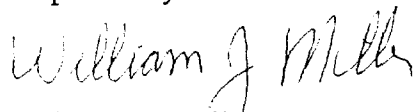
*Captain Planet*. Additional entertainment programming for KASW-61 includes family-oriented programs such as *Little House on the Prairie*, *Doogie Howser*, *Happy Days*, *Family Matters* and many others. In addition, local public service programming is produced on children's and family issues. Examples include *Raising Arizona Kids* (an interview program focusing on the issues and concerns of children and raising children in today's world) and *Community Showcase* (focusing on local organizations and services provided to the community). Other award winning public service programming also is carried such as *Center Street* (a weekly documentary focusing on teenagers' problems and solutions). KTVK also has assisted KASW in the local production of a series of public service announcements designed to meet the needs of children and youth. These PSAs involved the children themselves, both behind and in front of the camera. Finally, as an example of the additional public service provided by the new station, KASW broadcasts in its entirety the two-day LDS World General Conference in April and October of each year.

Further, the Phoenix market is highly diverse in terms of ownership and is served by 10 television station "voices," (not including Channels 2, 13, 6 and 7 from Flagstaff, Kingman and Prescott). Moreover, it is a vigorous market in which MAC's competitors are a "Who's Who" of multi-station and/or multi-media operations. They include Gannett, Meredith, Scripps-Howard, Fox, Paxson and Chris-Craft.

In summary, the KASW LMA has added program diversity where it otherwise would not exist. In addition, KASW provides new advertising opportunities to Arizona business. Finally, the LMA has allowed two family-owned broadcasters to provide community-oriented programming and services to their home town.

MAC appreciates the opportunity to describe the public benefits resulting from the KASW LMA. Should you need additional information, please contact me or our Washington Counsel, Jerry Haines of Wiley, Rein & Fielding 202-429-7280.

Respectfully submitted

  
William J. Miller